

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

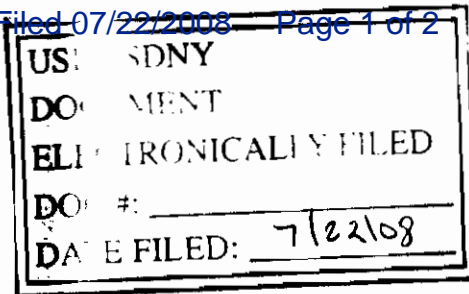
MARISA RIEUE,

Plaintiff,

-v-

NEW YORK STATE HIGHER EDUCATION  
SERVICE CORP., *et al.*,

Defendants.



No. 08 Civ. 6478 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:

On July 21, 2008, *pro se* plaintiff Marisa Rieue submitted an application for a temporary restraining order and a proposed order to show cause as to why a preliminary injunction should not issue against defendants. Specifically, plaintiff seeks to temporarily restrain and to preliminarily enjoin defendants from executing an “Administrative Wage garnishment Determination Order” that was issued against plaintiff on July 8, 2008. (*See* Pl.’s Proposed Order to Show Cause at 2.) Plaintiff does not indicate that she has served the materials offered in support of this application upon defendants.

IT IS HEREBY ORDERED that, to the extent plaintiff seeks a temporary restraining order without notice to defendants, plaintiff’s application is DENIED. Plaintiff has failed, among other things, to comply with Rule 65(b)(1)(B) of the Federal Rules of Civil Procedure, which provides that a temporary injunction shall not issue without notice to the non-moving party unless the moving party “certifies in writing any efforts made to give notice and the reasons why it should not be required.”

IT IS FURTHER ORDERED that plaintiff shall serve a copy of the proposed order to show cause, and the materials offered in support, on defendants no later than Friday, July 25, 2008.

Thereafter, the parties shall participate in a telephone conference with the Court on August 14, 2008 @ 10AM. At that time, counsel for defendants shall call the Court at (212) 805-0264 with all parties on the line.

SO ORDERED.

Dated: New York, New York  
July 21, 2008

  
RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE